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September 24, 2008

**VIA HAND DELIVERY &
ELECTRONIC MAIL**

The Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street — Room 1620
New York, New York 10007

Dear Judge Scheindlin:

Plaintiffs respectfully submit this pre-conference letter in advance of the October 2, 2008, status conference.

Trial Date and Pre-Trial Schedule in *City of New York* case

The City and defendants are continuing to discuss a trial date and pre-trial schedule. The parties expect either to have a joint proposal to submit to the Court, or if they cannot agree, to seek the Court's assistance in establishing a schedule.

Plaintiffs' Designation of Focus Cases

Miller Axline & Sawyer propose *The State of New Jersey* as a focus case. Weitz & Luxenberg is in the process of selecting potential new focus cases and anticipates having suggestions by the time of the October 2 conference.

Respectfully submitted,

WEITZ & LUXENBERG, P.C.

By:



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cc: All Counsel of Record